

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

STATE OF MISSOURI, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP., in his official capacity as
President of the United States of America, *et al.*,

Defendants.

No. 22-cv-1213

Consolidated with No. 23-cv-381

Judge Terry A. Doughty
Mag. Judge Kayla D. McClusky

JOINT MOTION TO STAY DISCOVERY

In light of Defendants' Notice of Supplemental Authority in Anticipation of Further Submissions, ECF No. 425, the parties respectfully request that this Court stay discovery, including the deadlines set forth in this Court's January 27, 2025 Memorandum Order, ECF No. 426, pending the parties' submission of statements regarding the effect of a recent executive order on this action and a subsequent conferral between the parties. Good cause supports this request:

1. As explained in Defendants' Notice, on January 20, 2025, the President of the United States issued Executive Order 14149, "Restoring Freedom of Speech and Ending Federal Censorship," 90 Fed. Reg. 8,243 (Jan. 20, 2025), which reflects the position of the United States and provides that, among other things, "[n]o Federal department, agency, entity, officer, employee, or agent may act or use any Federal resources in a manner contrary to" § 2 of the EO, which provides in turn, among other things, in § 2(c), that "[i]t is the policy of the United States" to "ensure that no taxpayer resources are used to engage in or facilitate any conduct that would unconstitutionally abridge the free speech of any American citizen."

2. In light of that executive order, the parties require additional time to evaluate their positions in this case and to determine how best to proceed. The parties respectfully contend that

the most efficient use of party and judicial resources is for the parties to submit statements regarding that executive order and its implications for this action before proceeding with discovery.

3. Accordingly, the Parties respectfully request that the Court stay the deadlines set forth in this Court's January 27, 2025 Memorandum Opinion, ECF No. 426, pending: (1) submission of Defendants by February 20, 2025, of a statement describing their position regarding the effect of the executive order on this action, and Plaintiffs' response to that statement by March 20, 2025; (2) any order issued by this Court on relief sought in those statements, in the event that either or both parties seek relief; and (3) a joint status report to be filed by the earlier of either April 25, 2025, or 14 days after any order this Court issues pursuant to the statements regarding the executive order. The joint status report would include proposed revised dates for the discovery submissions set forth in this Court's January 27, 2025 Order, should such discovery still be necessary. A proposed order is attached.

Dated: January 31, 2025

Respectfully submitted,

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